

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

In re:

SHAMROCK FINANCE LLC,

Debtor

Chapter 11

Case No. 21-10315-FJB

**AGREED ORDER**  
**DIRECTING THE APPOINTMENT OF AN EXAMINER AND**  
**RESOLVING MOTION FOR APPOINTMENT OF TRUSTEE**

CAME ON FOR CONSIDERATION, the United States Trustee's motion (Docket #82) ("***Trustee Motion***") for the entry of an order directing the appointment of a chapter 11 trustee in the chapter 11 case of Shamrock Finance, LLC ("Debtor") under 11 U.S.C. § 1104(a)(1), (2) and (e), and the parties having reported that they have settled the matter, it is hereby:

ORDERED, that the United States Trustee is directed forthwith to appoint an examiner in the Debtor's chapter 11 case to report to the Court on the following matters:

- a. Determination of the Debtor's use of the proceeds of the pre-petition promissory notes ("***Notes***") to 86 or more individual investors;
- b. the conduct, acts and omissions of Mr. David Pierce and Mr. Keith Harris relating to the Debtor, including the representations made to the individual investors by any person in connection with the Notes; and
- c. determination of the amounts paid and purposes for which such amount have been paid to Mr. David Pierce and Mr. Keith Harris in connection with the Notes. It is further

ORDERED, that the examiner shall otherwise perform the duties of an examiner set forth in 11 U.S.C. § 1106(a)(3) and (4) of the Bankruptcy Code (collectively the “*Investigation*”) to the extent set forth paragraphs a, b and c immediately above. It is further

ORDERED, that the Debtor and any committees are directed to cooperate with the Examiner in conjunction with the performance of any of the Examiner’s duties, and that the Debtor and any committees shall use their respective reasonable efforts to coordinate with the Examiner to avoid unnecessary duplication of the Examiner’s efforts. It is further

ORDERED, that until the Examiner has filed his or her report, neither the Examiner nor the Examiner’s representatives or agents shall make any public disclosures concerning the performance of the Investigation or the Examiner’s duties. It is further

ORDERED, that the examiner may request authorization under standards equivalent to those set forth in 11 U.S.C. § 327(a) to retain professionals to assist in discharging his or her duties, without prejudice to the right of any party in interest, including the Debtor, to object to the employment for any reason, including the necessity of such employment under Fed. R. Bankr. P. 2014(a). It is further

ORDERED, that the Examiner and any professionals retained by the Examiner pursuant to any order of this Court, if any, shall be compensated and reimbursed for their expenses pursuant standards equivalent to those set forth in 11 U.S.C. § 330. It is further

ORDERED, nothing in this Order shall impede the right of the United States Trustee or any other party to request any other lawful relief. It is further

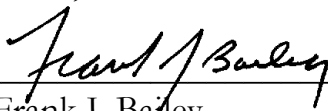
ORDERED, that the Examiner shall file with the Court a written report of his/her investigation and findings on the above matters on or before June 14, 2021 and provide copies of same to all persons having entered appearances in the Debtor’s case. It is further

ORDERED, that this order is without prejudice to the examiner’s requesting any necessary relief to fulfill his/her responsibilities consistent with this order. It is

further

ORDERED, that the Trustee Motion shall be deemed compromised and settled and shall not be subject to further action or order by the Court.

Signed at Boston, Massachusetts on April 23, 2021.

  
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Hon. Frank J. Bailey  
United States Bankruptcy Judge

**AGREED AS TO SUBSTANCE  
AND FORM:**

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE  
REGION 1

By: /s/ Eric K. Bradford  
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Dated: April 23, 2021.

SHAMROCK FINANCE LLC

By its attorneys

/s/ Jeffrey D. Sternklar

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Dated: April 23, 2021.